UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,826	07/14/2003	Jun Chen	23982-09235	5216

758	7590	07/13/2006	

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EXAMINER
HARPER, LEON JONATHAN

ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
	10/617,826	CHEN ET AL.
Office Action Summary	Examiner	Art Unit
	Leon J. Harper	2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *08 May 2006*.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-23* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-23* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The amendment filed 5/8/2006 has been entered. Claims 1, 5, 7-9, 13-15 and

22-23 have been amended. No claims have been canceled. Accordingly, claims 1-23

are pending in this office action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by US

20030055826 (hereinafter Graham).

As for claim 1 Graham discloses: a software driver for connecting said

application to said database, wherein a transaction request is made from said

application to said database via said software driver (See paragraph 0017 "data source

driver), a distributed transaction coordinator unit residing on said database server, said

distributed transaction coordinator being arranged for receiving said database

transaction request from said application (See paragraph 0036), and a software

transaction switch residing on said database server, said transaction switch being

arranged for routing said transaction request to the distributed transaction coordinator

(See paragraph 0036 note: transaction proxy) and a software library residing on said

database server, said software library including at least one procedure for mapping said

transaction request to said transaction switch (See paragraph 0036 note: The daemon

maps the transaction request to a particular transaction proxy in the transaction pool)).

As for claim 2 the rejection of claim 1 is incorporated, and further Graham

discloses: wherein said at least one procedure communicates with said transaction

switch to start a transaction process in said database based upon said transaction

request (See paragraph 0036), and said database receives results of said transaction

process and returns results to said distributed transaction coordinator, which returns

said results to said application (See paragraph 0037 "results interpreter").

As for claim 3 the rejection of claim 1 is incorporated, and further Graham

discloses: wherein the distributed transaction coordinator includes a dynamic load

library, which provides distributed transaction management control (See paragraph

0039 note transaction proxy may configured dynamically at run time by the database

daemon).

As for claim 4, the rejection of claim 1 is incorporated, and further Graham discloses: wherein said software driver is a wire protocol driver that provides direct TCP communications sessions with the database server (See paragraph 0043).

As for claim 5, the rejection of claim 4 is incorporated, and further Graham discloses: wherein said wire protocol driver includes interfaces to allow the database server to implement JTA distributed transactions (See paragraph 0039 note: "may be any java object).

As for claim 6, the rejection of claim 1 is incorporated, and further Graham discloses: wherein said software driver is arranged to send request packets to said database to execute said at least one procedure (See paragraph 0033).

As for claim 7, the rejection of claim 1 is incorporated, and further Graham discloses: wherein said software transaction switch is arranged to make calls to said distributed transaction coordinator upon receipt of the transaction request (See paragraph 0038).

As for claim 8 Graham discloses: a software driver for connecting said application to said database, wherein a transaction request is made from said application to said database via said software driver (See paragraph 0017 "data source driver) a distributed transaction coordinator unit residing on said database server, said

distributed transaction coordinator being arranged for receiving said database

transaction request from said application (See paragraph 0036), and a software

transaction switch residing on said database server, said software transaction switch

being arranged for routing said transaction request to the distributed transaction

coordinator (See paragraph 0036 note: transaction proxy) and a software library

residing on said database server, said software library including at least one procedure

for mapping said transaction request to said transaction switch (See paragraph 0036

note: The daemon maps the transaction request to a particular transaction proxy in the

transaction pool)).

As for claim 9 Graham discloses: making a transaction request, by sending a

request packet from said application server to said database to execute a plurality of

stored procedures on said database (See paragraph 0036), mapping said transaction

request to a transaction switch residing on said database server using at least one of

said stored procedures;(See paragraph 0036 note: transactions are managed, and

clients registered The daemon maps the transaction request to a particular transaction

proxy in the transaction pool); sending said transaction request, via said transaction

switch, to a library in a distributed transaction coordinator residing on said database

server(See paragraph 0038), returning a status of said transaction request to the

application server; and reporting said status of said transaction request to the

application (See paragraph 0039 "configured to capture status "errors etc).

As for claim 10, the rejection of claim 9 is incorporated, and further Graham discloses: storing said stored procedures in a library residing on said database (See paragraph 0049 "stored in statement interpreter).

As for claim 11 the rejection of claim 9 is incorporated, and further Graham discloses sending said request packet via a wire protocol driver (See paragraph 0049).

As for claim 12, the rejection of claim 11 is incorporated, and further Graham discloses: including interfaces in said wire protocol for implementing JTA distributed transactions (See paragraph 0049 note there is statement interpreter for each connection and the protocols can be anything).

As for claim 13 the rejection of claim 11 is incorporated, and further Graham discloses: allowing a transaction to enlist a distributed transaction with at least one of said plurality of procedures (See paragraph 0036 note: each transaction pool has a plurality of transaction proxies).

As for claim 14, the rejection of claim 9 is incorporated, and further Graham discloses: wherein mapping said transaction request to said transaction switch includes making calls into a switch library residing on said database server to connect the application to the database (See paragraphs 0036 and 0039).

As for claim 15 Graham discloses: transmitting a start request transmitted from said application to said database (See paragraph 0049 note: request made for a proxy = start request); calling an extended stored procedure from a plurality of stored procedures stored in said database based on said request (See paragraph 0049 note commands are passed to statement interpreter). Calling, by the extended stored procedure a start function in a transaction switch library residing on said database Server obtaining , by the extended stored procedure a transaction ID from said database and returning said transaction ID to a said application server (See paragraph 0038); and sending a data packet to said instructing database along with the transaction ID instructing the database server to enlist a specified transaction in a distributed (See paragraph 0049 file or commands are passed to statement interpreter).

As for claim 16, the rejection of claim 15 is incorporated, and further Graham discloses: wherein returning said transaction ID includes: returning the transaction ID in the form of a transaction cookie (See paragraph 0038 "transaction proxy id has to be stored via cookie since this is the method for batch handling).

As for claim 17 the rejection of claim 15 is incorporated, and further Graham discloses: transmitting the start request via a driver on the application server (See paragraph 0030 "database interface facility).

As for claim 18, the rejection of claim 15 is incorporated, and further storing said

plurality of stored procedures in a library located on said database (See paragraph 0038

note: in a batch commands are stored and passed to statement interpreter).

As for claim 19, the rejection of claim 15 is incorporated, and further Graham

discloses: sending said data packet via a wire protocol driver (See paragraph 0043).

As for claim 20 the rejection of claim 19 is incorporated, and further Graham

discloses: including interfaces in said wire protocol driver for connecting to said

database (See paragraph 0046).

As for claim 21 the rejection of claim 15 is incorporated, and further Graham

discloses: allowing a transaction to enlist a distributed transaction with one of said

plurality of procedures (See paragraph 0036 note: each transaction pool has a plurality

of transaction proxies).

As for claim 22 the rejection of claim 15 is incorporated, and further Graham

discloses: at least one of said plurality of procedures making calls into said transaction

switch library unit to connect the application to the database (See paragraph 0055).

As for claim 23 the rejection of claim 15 is incorporated, and further Graham

discloses: said transaction switch library making calls to a distributed transaction

coordinator (See paragraph 0058 note: transaction proxy is part of the database

interface facility).

Response to Arguments

Applicant's arguments filed 5/8/2006 have been fully considered but they are not

persuasive.

Applicant Argues:

However, other than referring to the last five lines of Graham's paragraph #0030,

the Examiner has not indicated what specific component in Graham discloses or

suggests the originally claimed "software library residing on said database server, said

software library including at least one procedure for carrying out said transaction

request. The Applicants have reviewed Graham in its entirety and respectfully submit

that Graham fails to disclose or suggest any such library. Moreover, the applicants have

amended claims 1-8 to more distinctly define the claimed invention so that the software

library includes "at least one procedure for mapping said transactions request to said

transaction switch."

Examiner Responds:

Examiner is not persuaded. The previous limitation of "software library residing

on said database server, said software library including at least one procedure for

carrying out said transaction request" was disclosed in Graham paragraph 0038 as part

of the statement interpreter but that disclosure is deemed irrelevant by applicant's

amendment. The amendment to applicant's claims changed software library residing on

said database server, said software library including at least one procedure for carrying

out said transaction request to " a software library residing on said database server,

said software library including at least one procedure for mapping said transaction

request to said transaction switch." Based on the definitions in applicant's disclosure the

previous limitation is defined in paragraph 0011 and applies to a software library while

the new limitation is defined in paragraph 0012 as part of a method. The new software

library is not necessarily related to the previous software library limitation, and

accordingly Graham discloses the new limitation as disclosed above in the rejection of

claims 1 and 8.

<u>Applicant Argues:</u>

The applicants have reviewed Graham and respectfully submit that Graham does

not disclose or suggest the combination of mapping a transaction request to a

transaction switch residing on said database server using at least one of said stored

procedures and sending the transaction request via said transaction switch, to a library

in a distributed transaction coordinator residing on said database server. Furthermore

note that Graham discloses that the daemon 206 is a java servant (paragraph #s 0027,

0036) and further expressly defines servant as "a modular piece of code which runs

within an application server framework.

Examiner Responds:

Examiner is not persuaded. Graham discloses: mapping a transaction request to a transaction switch residing on said database server using at least one of said stored procedures and sending the transaction request via said transaction switch, to a library in a distributed transaction coordinator residing on said database server (See paragraph 0036) In paragraph 0036 Graham discloses that transactions are managed, and clients registered. The daemon maps the transaction request to a particular transaction proxy in the transaction pool. This mapping is inherently done by software when the selection process for a particular proxy takes place, and then the transaction proxy (switch) send the request to a statement interpreter. Furthermore note that Graham discloses that a daemon may be an object in an object oriented framework, a java servant, servlet, program, a c++ program etc. Examiner interprets this as the equivalent of an or statement.

Applicant Argues:

Graham fails to disclose or suggest a "calling by the extended stored procedure, a start function in a transaction switch library residing on said database server and sending a data packet to said database along with the transaction ID instructing the database server to enlist a specified transaction in a distributed transaction as recited in claim 15.

Examiner Responds:

Examiner is not persuaded. When a request is made for a proxy the function that

responds to this request is the equivalent of a start function. Then the statement

interpreter is passed from the transaction proxy information containing inter alia client

ID, name, instance version , transaction proxy id. Moreover, examiner respectfully

submits that Graham is not silent on Database server architecture, paragraphs 0032

and 0033 disclose the difference between client and the database interface facility

configured to interact with clients.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time
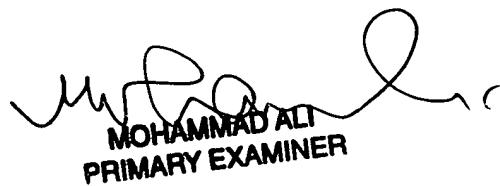
policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Leon J. Harper whose telephone number is 571-272-

0759. The examiner can normally be reached on 7:30AM - 4:00Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LJH
Leon J. Harper
July 5, 2006

MOHAMMAD ALI
PRIMARY EXAMINER